

JUDGE DOUGLAS H. GINSBURG

NON-ACADEMIC EMPLOYMENT

1986 – Present	Judge, U.S. Court of Appeals for the District of Columbia Circuit United States Courthouse 333 Constitution Ave., N.W. Washington, DC 20001 Tel: 202-216-7190
2001 – 2008	Chief Judge, U.S. Court of Appeals for the District of Columbia Circuit
1985 - 1986	Assistant Attorney General Antitrust Division U.S. Department of Justice, Washington, DC
1984 - 1985	Administrator for Information and Regulatory Affairs Office of Management and Budget, Executive Office of the President, Washington, DC
1983 - 1984	Deputy Assistant Attorney General for Regulatory Affairs, Antitrust Division U.S. Department of Justice, Washington, DC
1974 - 1975	Law Clerk to Justice Thurgood Marshall U.S. Supreme Court, Washington, DC

1973 - 1974	Law Clerk to Judge Carl McGowan U.S. Court of Appeals, Washington, DC
1965 - 1968	Vice President, Marketing “Operation Match” computer dating service, Compatibility Research, Inc., Cambridge, MA

FULL TIME TEACHING

2013-	George Mason University School of Law Professor of Law and Chairman, Global Antitrust Institute, International Advisory Board
2011-2013	New York University School of Law Distinguished Professor of Law
1975 - 1985	Professor of Law Harvard University, Cambridge, MA Teaching Responsibilities: Antitrust, Economic Regulation of Business, Banking Law, Regulation of Broadcasting, Labor Law, Theories of Corporations. (Asst. Prof. 1975-81; on leave 1983-85)

PART TIME TEACHING

2005-	University College London, Faculty of Laws
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Visiting Professor

2009-2011	Columbia University Lecturer on Law
1990-2001	University of Chicago Law School Visiting Senior Lecturer
1988-2010	George Mason University School of Law Distinguished Adjunct Professor of Law
2006-2009	New York University Law School Distinguished Visiting Scholar
1988-1989	Harvard University Lecturer on Law
1987-1988	Columbia University Visiting Professor of Law

EDUCATION

1973	J.D., UNIVERSITY OF CHICAGO LAW SCHOOL Articles Editor, The University of Chicago Law Review; Order of the Coif; Russell Floyd Mechem Prize Scholarship; Casper Platt Award, 1973
1970	B.S., CORNELL UNIVERSITY, N.Y. School of Industrial and

Labor Relations; Irving M. Ives Award, 1970

1976	Economics Institute for Law Professors Law & Economics Center
1992	Basic Science and Public Health, Advanced Course for Federal Judges, Law and Economics Center, George Mason University School of Law University of Miami Law School

BOARDS OF DIRECTORS

Foundation for Research in Economics and the Environment, 1991-2005

Rappahannock County Conservation Alliance, 1998-2004

Rappahannock Association for Arts and the Community, 1997-1999

ADVISORY BOARDS

Chairman, International Advisory Board, Global Antitrust Institute,
Antonin Scalia Law School

Non-Governmental Advisor to the International Competition Network

Jevons Institute for Competition Law and Economics, and Center for Law,
Economics and Society, University College London, Faculty of Laws

Law and Economics Center, George Mason University School of Law

Competition Policy International

Journal of Competition Law and Economics

Journal of Law, Economics & Policy

Supreme Court Economic Review

University of Chicago Law Review

Harvard Journal of Law & Public Policy

COMMITTEES

Judicial Conference of the United States, 2001-2008

Budget Committee, 1997-2001

Committee on Judicial Resources, 1987-1996

American Bar Association, Antitrust Section, Council, 1985-1986 (ex officio),
2000-2003 and 2009-2012 (judicial liaison)

Boston University School of Law, Visiting Committee, 1994-1997

University of Chicago Law School, Visiting Committee, 1985-1988

MEMBERSHIPS

American Bar Association

American Economic Association

American Law and Economics Association

Mont Pelerin Society

Honor Society of Phi Kappa Phi

BAR ADMISSIONS

U.S. Court of Appeals for the Ninth Circuit

Supreme Court of Illinois

Supreme Judicial Court of Massachusetts

AWARDS

2014 Global Competition Review, Article of the Year and
Lifetime Achievement Award

2011 Lifetime Service Award, Federalist Society, Georgetown University Law
Center

2001 Thomas Jefferson Award
Association for Private Enterprise Education

1986 Edmund J. Randolph Award
U.S. Department of Justice

PUBLICATIONS

BOOKS AND MONOGRAPHS

GLOBAL ANTITRUST ECONOMICS - CURRENT ISSUES IN ANTITRUST AND LAW AND ECONOMICS
(editor, with Joshua D. Wright; Institute of Competition Law March 21, 2016)

REGULATION OF THE ELECTRONIC MASS MEDIA: LAW AND POLICY FOR RADIO,
TELEVISION, CABLE AND THE NEW VIDEO TECHNOLOGIES, SECOND EDITION (with M.
Botein and M. Director; West, 1991)

1983 SUPPLEMENT TO REGULATION OF BROADCASTING: LAW AND POLICY TOWARDS
RADIO, TELEVISION AND CABLE COMMUNICATIONS (with M. Director; West, 1983)

INTERSTATE BANKING, 9 HOFSTRA LAW REV. 1133-1371 (Special Issue 1981)

REGULATION OF BROADCASTING: LAW AND POLICY TOWARDS RADIO, TELEVISION AND
GOVERNMENT, TECHNOLOGY, AND THE FUTURE OF THE AUTOMOBILE (editor, with W.
Abernathy; McGraw-Hill, 1980)

ANTITRUST, UNCERTAINTY, AND TECHNOLOGICAL INNOVATION (National Academy of
Engineering/National Research Council, 1980), reprinted at 24 ANTITRUST
BULL. 635 (1980)

CABLE COMMUNICATIONS (West, 1979)

ARTICLES AND BOOK CHAPTERS

Common Ownership: Solutions in Search of a Problem, FREDERIC JENNY LIBER
AMICORUM: AN ANTITRUST TRIBUTE (Nicolas Charbit ed., forthcoming 2019) (with Keith
Klovers);

*Antitrust and Intellectual Property in the United States and the European Union in
THE INTERPLAY BETWEEN COMPETITION LAW AND INTELLECTUAL PROPERTY -- AN
INTERNATIONAL PERSPECTIVE* (Gabriella Muscolo and Marina Tavassi eds., forthcoming
2019) (with Damien Geradin and Keith Klovers);

Posner on Antitrust Remedies: The Good, the Bad, and the Very Ugly, 18 ANTITRUST
SOURCE (Oct. 2018);

*Antitrust Analysis Involving Intellectual Property and Standards: Implications from
Economics*, forthcoming in 26 GEO. MASON L. REV. (2018) (with J. Padilla and K.
Wong-Ervin);

FRAND in India, in COMPLICATIONS AND QUANDARIES IN THE ICT SECTOR: STANDARD
ESSENTIAL PATENTS AND COMPETITION ISSUES (Ashish Bharadwaj et al. eds., 2018) (with
Joshua D. Wright, Bruce H. Kobayashi, and Koren W. Wong-Ervin);

The Economic Analysis of Antitrust Consents, 46 EUR. J. L. ECON. 245 (2018) (with
Joshua Wright);

Common Sense About Common Ownership, CONCURRENCES No. 2-2018 (with Keith
Klovers);

*A Comparative and Economic Analysis of the U.S. FTC's Complaint and the Korea
FTC's Decision against Qualcomm*, CPI ANTITRUST CHRONICLE (April 2017) (with
Koren Wong-Ervin, Anne Layne-Farrar et al.);

Extraterritoriality and Intra-Territoriality in US Antitrust Law, CONCURRENCES No. 3 –

2016 at 32 (with Joshua Hazan);

Extra-Jurisdictional Remedies Involving Patent Licensing, 12 COMP. POL'Y INT'L at 41 (2016) (with Joshua D. Wright, Bruce Kobayashi, and Koren W. Wong-Ervin);

Our Illiberal Administrative Law, 10 N.Y.U. J. OF L. & LIBERTY 475 (2016) (with Steven Menashi);

The FTC PAE Study: A Cautionary Tale About Making Unsupported Policy Recommendations, PUBLIC DOMAIN (ABA Section of Antitrust Law, Intellectual Property Committee), November 2016, at 2 (with Joshua D. Wright);

Monetary Penalties in China and Japan, CARTEL & CRIM. PRAC. COMMITTEE NEWSL. (ABA Section of Antitrust Law, Cartel and Criminal Practice Committee), Fall 2016, at 12 (with Joshua D. Wright, Bruce Kobayashi, Ariel Slonim, and Koren W. Wong-Ervin);

Goals of Antitrust: Welfare Trumps Choice, reprinted in CHOICE - A NEW STANDARD FOR COMPETITION LAW ANALYSIS? (P. Hihoul, N. Charbit, & E. Ramundo, eds., 2016);

In Memoriam: Justice Scalia's Antitrust Legacy, CONCURRENCES NO. 2-2016 at 8;

"Excessive Royalty" Prohibitions and the Dangers of Punishing Vigorous Competition and Harming Incentives to Innovate, CPI ANTITRUST CHRONICLE (March 2016) (with Joshua D. Wright, Bruce Kobayashi, and Koren W. Wong-Ervin);

Reverse Settlements in the European Union and the United States, in COMPETITION AND PATENT LAW IN THE PHARMACEUTICAL SECTOR: AN INTERNATIONAL PERSPECTIVE 125 (Giovanni Pitruzzella & Gabriella Muscolo eds., 2016) (with Damien Geradin and Graham Safty);

Product Hopping and the Limits of Antitrust: The Danger of Micromanaging Innovation, Competition Policy International, CPI ANTITRUST CHRONICLE (DECEMBER 2015) (with Joshua D. Wright and Koren W. Wong-Ervin);

The Troubling Use of Antitrust to Regulate FRAND Licensing, CPI ANTITRUST CHRONICLE (OCTOBER 2015) (with Joshua D. Wright and Koren W. Wong-Ervin);

DOJ Has the Power to Crush Price-Fixers: Column, USA TODAY WEEKEND, MAY 29-31, 2015 (with Albert Foer);

Actavis and Multiple ANDA Entrants: Beyond the Temporary Duopoly, 29 ANTITRUST 89 (2015) (with Bruce Kobayashi, Joshua D. Wright and Joanna Tsai);

Bork's "Legislative Intent" and the Courts, 79 ANTITRUST L. J. 3 (2015);

Rational Basis with Economic Bite, 8 N.Y.U. J. OF L. & LIBERTY 1055 (2014) (with Steven Menashi);

Since Bork, 10 J. L. ECON. & POL'Y 599 (2014) (with Taylor M. Owings);

Enjoining Injunctions: The Case Against Antitrust Liability for Standard Essential Patent Holders Who Seek Injunctions, 14 ANTITRUST SOURCE (Oct. 2014) (with Taylor M. Owings and Joshua D. Wright);

Patent Assertion Entities and Antitrust: A Competition Cure for a Litigation Disease, 79 ANTITRUST L. J. 501 (2014) (with Joshua D. Wright);

Resolving Conflicts between Competition and Other Values: The Roles of Courts and Other Institutions in the U.S. and the E.U., in EUROPEAN COMPETITION LAW ANNUAL 2012: COMPETITION, REGULATION, AND PUBLIC POLICIES 417 (Philip Lowe & Mel Marquis eds., 2014) (with Daniel E. Haar);

Bork's "Legislative Intent" and the Courts, 79 ANTITRUST L.J. 941 (2014);

Whither Symmetry? Antitrust Analysis of Intellectual Property Rights at the FTC and DOJ, 9 COMP. POL'Y INT'L. at 41 (2013) (with Joshua D. Wright);

Antitrust Settlements: The Culture of Consent, CONCURRENCES NO. 2-2013 at 56 (with Joshua D. Wright);

Antitrust Courts: Specialists versus Generalists, 36 FORDHAM INT'L L.J. 788 (2013) (with Joshua D. Wright);

Dynamic Economics in Antitrust Analysis, 78 ANTITRUST L.J. 1 (2012) (with Joshua D. Wright);

Behavioral Law and Economics: Its Origins, Fatal Flaws, and Implications for Liberty, 106 NW. U. L. REV. 1033 (2012) (with Joshua D. Wright); *reprinted in* LAW AND ECONOMICS: PHILOSOPHICAL ISSUES AND FUNDAMENTAL QUESTIONS (Aristides N. Hatzis & Nicholas Mercuro eds., 2015);

The Role of Economic Analysis in Competition Law, in GETTING THE BALANCE RIGHT: INTELLECTUAL PROPERTY, COMPETITION LAW, AND ECONOMICS IN ASIA (Ian McEwin ed., 2011) (with Eric M. Fraser);

Originalism and Economic Analysis: Two Case Studies of Consistency and Coherence in Supreme Court Decision Making, 33 HARV. J. OF L. & PUBLIC POL'Y 217 (2010);

Antitrust Sanctions, 6 COMP. POL'Y INT'L at 3 (2010) (with Joshua D. Wright);

The Future of Behavioral Economics in Antitrust Jurisprudence, 6 COMP. POL'Y INT'L at 89 (2010) (with Derek W. Moore);

The Costs and Benefits of Private and Public Antitrust Enforcement: An American Perspective, in COMPETITION LAW AND ECONOMICS: ADVANCES IN COMPETITION POLICY AND ANTITRUST ENFORCEMENT (Abel M. Mateus & Teresa Moreira, eds., 2010);

Antitrust Sanctions, 6 COMP. POL'Y INT'L at 3 (2010) (with Joshua Wright);

The Role of Economic Analysis in Competition Law, in GETTING THE BALANCE RIGHT: INTELLECTUAL PROPERTY, COMPETITION LAW, AND ECONOMICS IN ASIA (Ian McWein ed., 2010) (with Eric M. Fraser);

Appellate Courts and Independent Experts, 60 CASE WESTERN L. REV. 303 (2010);

The Prosecutor and Post-Conviction Claims of Innocence: DNA and Beyond?, 7 OHIO STATE J. OF CRIM. L. 771 (2010) (with Hyland Hunt);

The Future of Behavioral Economics in Antitrust Jurisprudence, 6 COMP. POL'Y INT'L 89 (2010) (with Derek W. Moore);

Originalism and Economic Analysis: Two Case Studies of Consistency and Coherence in Supreme Court Decision Making, 33 HARV. J. OF L. & PUB. POL'Y 217 (2010);

Nondelegation and the Unitary Executive, 12 UNIV. PA. J. CONST. L. 251 (2010) (with Steven Menashi);

The Costs and Benefits of Private and Public Antitrust Enforcement - An American Perspective, in COMPETITION LAW AND ECONOMICS: ADVANCES IN COMPETITION POLICY

ENFORCEMENT IN THE EU AND NORTH AMERICA (Abel M. Mateus & Teresa Moreira eds., 2010);

Antitrust Decisions of the Supreme Court, 1967-2007, 3 COMP. POL'Y INT'L at 3 (2007) (with Leah Brannon);

Synthetic Competition, 16 MEDIA LAW & POL'Y 1 (2006);

ARTICLE I, SECTION 1, LEGISLATIVE VESTING CLAUSE, in THE HERITAGE GUIDE TO THE CONSTITUTION (Edwin Meese, III ed., 2005);

Comparing Antitrust Enforcement in the United States and Europe, 1 J. COMP. LAW & ECON. 427 (2005);

Determinants of Private Antitrust Enforcement in the United States, 1 COMP. POL'Y INT'L 29 (2005) (with Leah Brannon);

On Constitutionalism, CATO SUPREME COURT REVIEW 7 (2003);

The Court En Banc: 1991-2002, 70 GEO. WASH. L. REV. 259 (2002) (with Brian Boynton);

International Antitrust: 2000 and Beyond, 68 ANTITRUST L.J. 571 (2000);

Multinational Merger Review: Lessons From Our Federalism, 68 ANTITRUST L.J. 219 (2000) (with Scott Angstreich);

Foreword: "An Open Letter to Vice President Gore," in ENVIRONMENTAL GORE (J.A. Baden, ed., 1995);

Legal Responses to Bounded Rationality in German Administration: Comment, 150 J. INSTITUTIONAL & THEORETICAL ECON. 163 (1994);

Blackmail: An Economic Analysis of the Law, 141 U. PA. L. REV. 1849 (1993) (with Paul Shechtman);

Nonprice Competition, 38 ANTITRUST BULL. 83 (1993);

A Property Rights Analysis of the Inefficiency of Investment Decisions by Labor-Managed Firms: Comment, 148 J. INSTITUTIONAL & THEORETICAL ECON. 45 (1992);

Antitrust as Antimonopoly, REGULATION (Summer 1991);

Vertical Restraints: De Facto Legality Under the Rule of Reason, 60 ANTITRUST L.J. 67 (1991);

The Court En Banc: 1981-1990, 59 GEO. WASH. L. REV. 1008 (1991) (with Donald Falk);

Rationalizing Antitrust: A Rejoinder to Professor Armentano, 35 ANTITRUST BULL. (1990), *reprinted in* 2 THE ANTITRUST IMPULSE 933 (Theodore P. Kovaleff ed., 1994);

The Appropriate Role of the Antitrust Enforcement Agencies, 9 CARDOZO L. REV. 1277 (1988);

White House Review of Agency Rulemaking, 99 Harv. L. Rev. 1075 (1986) (with Christopher DeMuth);

The Case Against Federal Intervention in the Market for Corporate Control, 4 BROOKINGS REV. 15 (Winter/Spring 1986), *reprinted in* 32 U. CHICAGO L. SCH. REC. 14 (1986) (with John Robinson);

The Future of Interstate Banking, 9 J. CORP. L. 655 (1984), *reprinted in* 26 CORP. PRAC. COMMENTATOR 469 (1985);

Rights of Excess: Cable and the First Amendment, 6 COMM. & THE LAW 71 (1984);

Regulating Television Violence, NAE workshop mimeo (1983);

Interstate Banking: A Preview of the Issues, ABA BANKING J. (1983);

The New Illinois Bank Holding Company Act, 99 BANK L. J. 598 (1982);

Making Automobile Regulation Work: Policy Options and a Proposal, in D. Ginsburg and W. Abernathy, *supra* Books, *reprinted in* 2 HARV. J. L. & PUB. POL'Y 73 (1979);

Ernst Freund and the First Amendment Tradition: Afterword, 40 U. CHICAGO L. REV. 235 (1973)

BOOK REVIEWS

The Behavior of Federal Judges: A view from the D.C. Circuit, review by Lee Epstein, William Landes & Richard Posner, *The Behavioral of Federal Judges*, 97 JUDICATURE (No.2, 2013);

Rationalism in Regulation, review of Richard Revesz & Michael Livermore, *Retaking Rationality: How Cost Benefit Analysis Can Better Protect the Environment and Our Health*, 110 MICH. L. REV. 877 (2010) (with Christopher C. DeMuth);

Competition Rules for the 21st Century: Principles from America=s Experience, by Ky P. Ewing, 103 MICH. L. REV. (2004);

Money for Nothing: Politicians, Rent Extraction, and Political Extortion, by Fred S. McChesney, 97 MICH. L. REV. 6 (1999);

Power Without Responsibility: How Congress Abuses the People Through Delegation, by David Schoenbrod, REGULATION MAGAZINE No.1 (1995);

Enterprise and American Law, by Herbert Hovenkamp, 75 PUBLIC CHOICE 396 (1993); *The Litigation Explosion*, by Walter Olsen, 90 MICH. L. REV. 1609 (1992);

Regulation and Its Reform, Stephen Breyer, 20 HARV. J. LEGIS. 647 (1983);

Reluctant Regulators: The FCC and the Broadcast Audience, Barry Cole and Mal Oettinger, 30 FED. COMMUNICATIONS L. J. 173 (1978)

OCCASIONAL PAPERS

Comment on the Canadian Competition Bureau's White Paper, Big Data and Innovation: Implications for Competitive Policy in Canada (The Global Antitrust Institute, George Mason University School of Law. November 17, 2017)

Comment on the Japan Patent Office's Tentative Guidelines on Licensing Negotiations Involving SEPs. (The Global Antitrust Institute, George Mason University School of Law. November 10, 2017)

Comment on the Proposed Amendments to the Competition Law of the Socialist Republic of Vietnam (The Global Antitrust Institute, George Mason University School of Law. May 7, 2017)

Comment on the Japan Fair Trade Commission's Draft Guidelines Concerning Distribution Systems and Business Practices Under the Antimonopoly Act (The Global Antitrust Institute, George Mason University School of Law. May 4, 2017)

Comment on the Communication from the European Commission on Standard Essential Patents for a European Digitalised Economy (The Global Antitrust Institute, George Mason University School of Law. April 28, 2017)

Comment on the Anti-Monopoly Commission of the China State Council's Anti-Monopoly Guidelines on the Abuse of Intellectual Property Rights (The Global Antitrust Institute, George Mason University School of Law. April 13, 2017)

Comment on the Proposed Revisions to the People's Republic of China Anti-Unfair Competition Law (The Global Antitrust Institute, George Mason University School of Law. March 19, 2017);

Comment on the U.S. Antitrust Agencies' Proposed Update of the Antitrust Guidelines for the Licensing of Intellectual Property (The Global Antitrust Institute, George Mason University School of Law. September 20, 2016);

Comment on the Japan Fair Trade Commission's Consultation on the Administrative Surcharge System (The Global Antitrust Institute, George Mason University School of Law. August 6, 2016);

Comment on the Proposed Revisions to the Guidelines of the Anti-Monopoly Commission of the State Council on Determining the Illegal Gains Generated from Monopoly Conduct and on Setting Fines (The Global Antitrust Institute, George Mason University School of Law. July 9, 2016);

The Costs and Benefits of Antitrust Consents, submitted for the 125th meeting of OECD Competition Committee on June 15-17, 2016 (with Joshua D. Wright), available at [https://one.oecd.org/document/DAF/COMP/WD\(2016\)81/en/pdf](https://one.oecd.org/document/DAF/COMP/WD(2016)81/en/pdf);

Comment on the India Department of Industrial Policy and Promotion's Discussion Paper on Standard Essential Patents (The Global Antitrust Institute, George Mason University School of Law. March 31, 2016);

Comment on the Proposed Revisions to the People's Republic of China Anti-Unfair Competition Law (The Global Antitrust Institute, George Mason University School of Law. March 24, 2016);

Comment on National Development and Reform Commission's Draft Anti-Monopoly Guideline on Intellectual Property Abuse (The Global Antitrust Institute George Mason University School of Law. January 13, 2016);

Comment on the State Administration for Industry and Commerce Anti-Monopoly Guidelines on the Abuse of Intellectual Property Rights (The Global Antitrust Institute, George Mason University School of Law. January 11, 2016);

Comment on the Korea Fair Trade Commission's Amendment to its Review Guidelines on Unfair Exercise of Intellectual Property Rights (The Global Antitrust Institute, George Mason University School of Law. January 3, 2016);

Comment on the European Commission's Public Consultation on the Regulatory Environment for Platforms (The Global Antitrust Institute, George Mason School of Law. December 29, 2015);

Comment on the Questionnaire for the Revision of China's Anti-Monopoly Law, (The Global Antitrust Institute, George Mason University School of Law. December 10, 2015);

Comment to China's National Development and Reform Commission's (NDRC's) Anti-Monopoly Guide on Abuse Intellectual Property Rights, (The Global Antitrust Institute, George Mason University School of Law. November 12, 2015);

Comment on the Korea Fair Trade Commission's Revised Review Guidelines On Unfair Exercise of Intellectual Property Rights (The Global Antitrust Institute, George Mason University School of Law. October 5, 2015);

Comment on China's NDRC's Questionnaire on Intellectual Property Rights Misuse Antitrust Guidelines (The Global Antitrust Institute, George Mason University School of Law. September 30, 2015);

Comment on the Japan Fair Trade Commission's Draft Partial Amendment to the Guidelines for the Use of Intellectual Property Under the Antimonopoly Act (George Mason Legal Studies, Research Paper No. LS 15-13, 2015) (with Joshua D. Wright);

Comment on the Canadian Competition Bureau's Draft Updated Intellectual Property Enforcement Guidelines (George Mason Legal Studies, Research Paper No. LS 15-14, 2015) (with Joshua D. Wright);

Introduction to *R.H. Bork, A Legislative Intent and the Policy of the Sherman Act*, @ 2 COMPETITION POL=Y INT=L 225 (2006); excerpted at *Judge Bork, Consumer Welfare, and Antitrust Law*, 31 HARV. J. L. & PUB. POL=Y 449 (2008);

Reflections of the Twenty-Fifth Anniversary of the Harvard Journal of Law & Public Policy, 25 HARV. J. L. & PUB. POL=Y 835 (2002);

Preface, First Amendment Law Handbook, 1997-98 Ed. (1997);

Introduction: Competitive Enterprise Institute, ANTITRUST READER (1997);

The Goals of Antitrust Revisited: Comment, 147 J. OF INSTITUTIONAL AND THEORETICAL ECON. 24 (1991);

Introduction, Federal Spending and the Deficit: Is a Constitutional Remedy Necessary? 11 GEO. MASON L. REV. 115 (1989);

In Memoriam: Judge Carl McGowan, 56 GEO. WASH. L. REV. (1988);

The Reagan Administration's Legislative Initiative in Antitrust, 31 ANTITRUST BULL. 851 (1986)

SELECTED PRESENTATIONS

Judge Posner on Antitrust Remedies, (ABA Section of Antitrust Law Spring Meeting Washington, DC, April 12, 2018);

Comity in International Competition Law Enforcement, Paris, OECD Competition Committee (December 5, 2017);

The Legacy of Goldfarb v. Virginia (ABA Section of Antitrust Law, Washington, DC, March 29, 2017);

Speaker, China Competition Policy Forum – Implementation of Competition Policy in Supply-side Structural Reform (Beijing, China - October 27-28, 2016);

Is Territoriality Still Meaningful?, New Frontiers of Antitrust, Paris, 7th International Concurrences Review Conference (June 13, 2016) (with Joshua Hazan);

Antitrust Policy to Benefit Companies and Consumers Alike, Forum for EU-US Legal Economic Affairs (Brussels, Belgium - April 12, 2016);

Antitrust in High-Tech Markets, Second Advanced Conference on Contemporary Competition Law Issues (Istanbul, Turkey - March 11, 2016);

FTC v. NC Dental Board, Where Administrative Law Meets Antitrust, ABA Section of Administrative Law and Regulatory Practice, Administrative Law Conference (Washington, DC - October 29, 2015);

Non-practicing Entities, Patent Assertion Entities, and Antitrust, 2015 Innovation and Competition Forum at the University of International Business and Economics (Beijing, China - October 12, 2015);

Hot Topics in Antitrust Law Competition and Global Economy, University of Chicago Alumni Law Society (Chicago, IL - April 13, 2015);

Discovery and Creation in the Common Law, Mont Pelerin Society (Lima, Peru – March 24, 2015

Speaker, The United States Department of Justice (DOJ), Obama Administration Antitrust Policies: A Report Card, Heritage Foundation (Washington, DC - January 29, 2015);

Regulating Competition in High Tech Industries, Federalist Society, Silicon Valley Chapter (Silicon Valley, CA - November 8, 2014);

Judicial Ethics & Election Law in the United States, (Mexico City - August 26, 2014);

Competition and the Administrative State, Transatlantic Legal Forum, Annual Conference (Hamburg, Germany - June 10, 2014);

Un autre regard, Cour de Cassation, 130ème anniversaire du Conseil supérieur de la magistrature, « la contribution des Conseils de Justice à la séparation des pouvoirs » (Paris, France - October 25, 2013);

Problems of Adjudication in Competition Law Cases, International League of Competition Law, Oxford Congress (Oxford, England - September 22, 2011);

DNA & Post-Conviction Exonerations, Federalist Society, Florida International University Student Chapter (Miami, FL - April 19, 2011);

Speaker, Federal Antimonopoly Service of Russia, Competition Development in Russia (Moscow, Russia - July 8-9, 2010);

Speaker, Cartel Sanctions and the Balance of Optimal Enforcement, University College London, Jevons Institute Advanced Training for Judges in Competition Law and Economics, (February 2010);

Presentations on "Private Enforcement" and "Market Dominance"; panels on *Conwood v. U.S. Tobacco* and *3M v. LaPage's*, China Intellectual Property Training Centre for Private Enforcement of Antimonopoly Law in China and the US (Beijing, China - October 26-30, 2009).

WORKS IN PROGRESS

Common Ownership and Competition Law

Discovery and Creation in the Common Law (with Graham Safty)

Internet Arbitration: A Private Solution to Public Corruption (with Adrienne Binnall, Michael C. Chu, and Stephen J. Cowen).

